



D-3077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

PFLUEGER et al.

) Group Art Unit: 3743

Serial No. 10/624,915

) Examiner: N/A

Filed: July 22, 2003

)

For: APPARATUS AND METHODS FOR
TREATING SLEEP APNEA

)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

Title

Date

APR 21 2004

Frank J. Uxa
attala 4/9/04

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant wishes to call to the attention of the Examiner the documents cited on the accompanying Form PTO-1449. No concession is made that these documents are prior art, and applicant expressly reserves the right to antedate the documents as may be appropriate. This Information Disclosure Statement is being filed before the first office action has been received from the Patent and Trademark Office in the above-identified application.

Respectfully submitted,

Frank J. Uxa
Frank J. Uxa
Attorney for Applicant
Reg. No. 25,612
4 Venture, Suite 300
Irvine, CA 92618
(949) 450-1750
Facsimile (949) 450-1764

FJUxa/ac



Sheet 1 of 10

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

Docket Number: D-3077

Application Number: 10/624,915

Applicant: Pflueger

Filing Date: 07/22/03

Group Art Unit: 3743

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER									DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE
D	4	5	8	6	7	9	06/11/02	Thompson et al.						
3	9	9	3	0	7	8	11/23/76	Bergentz et al.						
4	1	9	8	9	6	7	04/22/80	Dror						
4	3	0	4	2	2	7	12/08/81	Samelson						
4	5	7	2	1	8	6	02/25/86	Gould et al.						
4	5	8	0	5	6	8	04/08/86	Gianturco						
4	6	6	5	9	1	8	05/19/87	Garza et al.						
4	6	7	6	2	4	0	06/30/87	Gardy						
4	7	3	2	1	5	2	03/22/88	Wallsten et al.						
4	7	9	4	9	2	4	01/03/89	Eliachar						
4	8	2	1	7	1	5	04/18/89	Downing						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
												YES	NO	

OTHER DOCUMENTS

EXAMINER**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>								Docket Number: D-3077		Application Number: 10/624,915			
								Applicant: Pflueger					
								Filing Date: 07/22/03		Group Art Unit: 3743			
U. S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	4	8	4	8	3	4	3	07/18/89	Wallsten et al.				
	4	8	7	5	4	8	0	10/24/89	Imbert				
	4	9	5	0	2	2	7	08/21/90	Savin et al.				
	5	0	2	6	3	7	7	06/25/91	Burton et al.				
	5	0	3	7	4	2	7	08/06/91	Harada et al.				
	5	0	4	8	5	1	8	09/17/91	Eliachar et al.				
	5	0	6	1	2	7	5	10/29/91	Wallsten et al.				
	5	0	6	4	4	3	5	11/12/91	Porter				
	5	0	7	1	4	0	7	12/10/91	Termin et al.				
	5	0	7	8	7	2	0	01/07/92	Burton et al.				
	5	1	1	7	8	1	6	06/02/92	Shapiro				
FOREIGN PATENT DOCUMENTS													
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO
OTHER DOCUMENTS													
EXAMINER								DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.													

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>								Docket Number: D-3077		Application Number: 10/624,915		
								Applicant: Pflueger				
								Filing Date: 07/22/03		Group Art Unit: 3743		
U. S. PATENT DOCUMENTS												
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE
	5	1	4	7	3	7	0	09/15/92	McNamara et al.			
	5	2	0	1	7	5	7	04/13/93	Heyn et al.			
	5	3	0	6	2	9	4	04/26/94	Winston et al.			
	5	3	6	0	4	0	1	11/01/94	Turnland			
	5	4	7	4	5	6	3	12/12/95	Myler et al.			
	5	4	7	6	5	0	5	12/19/95	Limon			
	5	4	9	4	0	2	9	02/27/96	Lane et al.			
	5	5	3	4	0	0	7	07/09/96	St. Germain et al.			
	5	5	7	1	1	3	5	11/05/96	Fraser et al.			
	5	6	0	3	6	9	8	02/18/97	Roberts et al.			
	5	6	1	1	3	5	5	03/18/97	Hilsen			
FOREIGN PATENT DOCUMENTS												
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
												YES
												NO
OTHER DOCUMENTS												
EXAMINER								DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.												

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>								Docket Number: D-3077		Application Number: 10/624,915			
								Applicant: Pflueger					
								Filing Date: 07/22/03		Group Art Unit: 3743			
U. S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	5	6	3	2	7	7	1						
	05/27/97	Boatman et al.											
	07/01/97	Parks											
	07/01/97	Myler et al.											
	07/22/97	Alvarez et al.											
	09/09/97	Linder											
	11/04/97	Meade											
	11/04/97	Lenker et al.											
	01/20/98	Lukic et al.											
	02/17/98	Muchin											
	04/14/98	Edwards											
	06/30/98	Summers et al.											
FOREIGN PATENT DOCUMENTS													
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO
OTHER DOCUMENTS													
EXAMINER								DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.													

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>								Docket Number: D-3077		Application Number: 10/624,915			
								Applicant: Pflueger					
								Filing Date: 07/22/03		Group Art Unit: 3743			
U. S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	5	7	7	6	1	4	2	07/07/98	Gunderson				
	5	7	9	1	3	4	1	08/11/98	Bullard				
	5	7	9	7	9	5	2	08/25/98	Klein				
	5	8	0	0	3	7	9	09/01/98	Edwards				
	5	8	1	5	9	0	4	10/06/98	Clubb et al.				
	5	8	3	6	9	6	6	11/17/98	St. Germain				
	5	8	6	8	1	3	8	02/09/99	Halstrom				
	5	8	9	3	3	6	5	04/13/99	Anderson				
	5	9	1	1	7	5	2	06/15/99	Dustrude et al.				
	5	9	5	0	6	2	4	09/14/99	Hart				
	5	9	5	4	0	5	0	09/21/99	Christopher				
FOREIGN PATENT DOCUMENTS													
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
											YES	NO	
OTHER DOCUMENTS													
EXAMINER								DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.													

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>									Docket Number: D-3077		Application Number: 10/624,915		
									Applicant: Pflueger				
									Filing Date: 07/22/03		Group Art Unit: 3743		
U. S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	5	9	7	0	9	7	5	10/26/99	Estes et al.				
	5	9	8	0	5	3	3	11/09/99	Holman				
	5	9	8	8	1	7	0	11/23/99	Thomas				
	6	0	0	4	3	4	2	12/21/99	Filis				
	6	0	1	9	7	7	9	02/01/00	Thorud et al.				
	6	0	2	2	3	4	3	02/08/00	Johnson et al.				
	6	0	2	7	5	1	6	02/22/00	Kolobow et al.				
	6	0	2	7	8	6	3	02/22/00	Donadio III				
	6	0	3	3	3	9	4	03/07/00	Vidlund et al.				
	6	0	5	8	9	3	1	05/09/00	Muchin				
	6	0	9	0	1	1	5	07/18/00	Beyar et al.				
FOREIGN PATENT DOCUMENTS													
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
											YES	NO	
OTHER DOCUMENTS													
EXAMINER									DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.													

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>								Docket Number: D-3077		Application Number: 10/624,915			
								Applicant: Pflueger					
								Filing Date: 07/22/03		Group Art Unit: 3743			
U. S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	6	0	9	2	5	2	3	07/25/00	Belfer				
	6	0	9	8	6	1	6	08/08/00	Lundy Jr. et al.				
	6	1	0	6	5	4	1	08/22/00	Hurbis				
	6	1	1	0	1	6	4	08/29/00	Vidlund				
	6	1	2	3	0	8	2	09/26/00	Berthon-Jones				
	6	1	2	6	6	1	1	10/03/00	Bourgeois et al.				
	6	1	2	6	6	5	7	10/03/00	Edwards				
	6	1	2	9	0	8	4	10/10/00	Bergersen				
	6	1	3	2	4	6	0	10/17/00	Thompson				
	6	1	3	2	4	6	1	10/17/00	Thompson				
	6	1	6	1	5	4	1	12/19/00	Woodson				
FOREIGN PATENT DOCUMENTS													
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
											YES	NO	
OTHER DOCUMENTS													
EXAMINER								DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.													

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>								Docket Number: D-3077		Application Number: 10/624,915			
								Applicant: Pflueger					
								Filing Date: 07/22/03		Group Art Unit: 3743			
U. S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	6	1	6	1	5	4	2						
	6	1	6	1	5	4	2	12/19/00	Halstrom				
	6	1	7	1	3	1	4	01/09/01	Rotramel				
	6	1	8	3	4	9	3	02/06/01	Zammit				
	6	2	3	8	4	1	1	05/29/01	Thorner				
	6	2	3	8	4	3	0	05/29/01	Klumb et al.				
	6	2	4	8	1	2	2	06/19/01	Klumb et al.				
	6	2	5	0	3	0	7	06/26/01	Conrad et al.				
	6	2	5	4	6	3	1	07/03/01	Thompson				
	6	2	5	7	2	3	6	07/10/01	Dutkiewicz				
	6	2	7	0	5	1	2	08/07/01	Rittmann				
	6	2	7	3	8	7	6	08/14/01	Klima et al.				
FOREIGN PATENT DOCUMENTS													
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	
OTHER DOCUMENTS													
EXAMINER								DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.													

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>									Docket Number: D-3077		Application Number: 10/624,915		
									Applicant: Pflueger				
									Filing Date: 07/22/03			Group Art Unit: 3743	
U. S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	6	3	0	5	3	7	6	10/23/01	Thornton				
	6	3	2	5	0	6	4	12/04/01	Thornton				
	6	3	2	8	7	5	3	12/11/01	Zammit				
	6	3	2	9	3	5	2	12/11/01	Meyer et al.				
	6	3	4	5	2	0	2	02/05/02	Richmond et al.				
	6	3	5	8	2	7	4	03/19/02	Thompson				
	6	3	6	3	9	3	5	04/02/02	Boussignac				
	6	3	7	1	1	1	2	04/16/02	Bibi				
	6	3	7	1	9	5	3	04/16/02	Beyar et al.				
	6	3	7	1	9	7	9	04/16/02	Beyar et al.				
	6	3	7	4	8	2	4	04/23/02	Thornton				
FOREIGN PATENT DOCUMENTS													
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
											YES	NO	
OTHER DOCUMENTS													
EXAMINER								DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.													

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)								Docket Number: D-3077		Application Number: 10/624,915		
								Applicant: Pflueger				
								Filing Date: 07/22/03		Group Art Unit: 3743		
U. S. PATENT DOCUMENTS												
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE
	6	3	7	9	3	1	1	04/30/02	Gaumond et al.			
	6	3	8	6	1	9	9	05/14/02	Alfery			
	6	3	9	0	0	9	6	05/21/02	Conrad et al.			
	6	4	0	1	7	1	7	06/11/02	Conrad et al.			
	6	4	0	8	8	5	2	06/25/02	Tielemans			
	6	4	1	9	6	4	1	07/16/02	Mark et al.			
	6	4	2	7	6	8	6	08/06/02	Augustine et al.			
	6	4	5	0	1	6	9	09/17/02	Conrad et al.			
	6	4	7	4	3	3	9	11/05/02	Grosbois et al.			
	6	4	8	5	5	2	4	11/26/02	Strecker			
	6	4	8	8	7	0	0	12/03/02	Klumb et al.			
FOREIGN PATENT DOCUMENTS												
	DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
										YES	NO	
OTHER DOCUMENTS												
EXAMINER								DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.												